S.B.CRIMINAL MISC. BAIL APPLICATION NO.3747/2006

Date : 04.09.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. B.L. Bishnoi for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

Learned counsel for the applicant submits that other co-accused has already been enlarged on bail and the case of the present applicant is not different than the co-accused, therefore, he may also be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

In the FIR fact finds place that by sword having in his hand accused applicant inflicted injuries on the person of injured resulting in fracture of per ital bone.

Taking into consideration the overall facts and circumstances of the present case and the fact that investigation is pending, I do not find it to be a fit case to extend benefit of bail to the applicant. Accordingly, the bail application moved by the applicant under Section 439 Cr.P.C. is rejected.

(SATYA PRAKASH PATHAK), J.